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Sun Microsystems, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SUN MICROSYSTEMS, INC., a Delaware
corporation,

Plaintiff/Counterdefendant,

v.

NETWORK APPLIANCE, INC.

Defendant/Counterplaintiff.

CASE NO. C-07-05488 EDL

**[PROPOSED] ORDER AND
STIPULATION REGARDING CLOSE OF
FACT DISCOVERY**

Plaintiff Sun Microsystems, Inc. ("Sun") and Defendant Network Appliance, Inc.
("NetApp"), by and through their undersigned attorneys of record, hereby stipulate and agree that
the close of fact discovery in the above-titled case shall be December 17, 2008.

1 Dated: April 21, 2008

2 DLA PIPER US LLP

3 /s/ Christine K. Corbett

4 MARK D. FOWLER
5 DAVID ALBERTI
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9 Attorneys for Plaintiff,
10 Sun Microsystems, Inc.

11 Dated: April 21, 2008

12 /s/ Jeffrey G. Homrig

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22 Attorneys for Defendant,
23 Network Appliance, Inc.

24 IT IS SO ORDERED

25 Dated:

26 ELIZABETH D. LAPORTE
27 United States Magistrate Judge